

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|----------------------------------|---|---------------------|
| RICHARD NYBECK, | : | CIVIL ACTION |
| : | | |
| <i>Plaintiff,</i> | : | |
| : | | |
| v. | : | NO. 17-4428 |
| : | | |
| A.O. SMITH CORP., et al., | : | |
| : | | |
| <i>Defendants.</i> | : | |
| : | | |

ORDER

AND NOW, this 15th day of June, 2021, upon consideration of the “Motion for Summary Judgment” (ECF No. 301) by Defendant, Air & Liquid Systems Corporation, as successor by merger to Buffalo Pumps, Inc. (“Buffalo”), Plaintiff’s Memorandum of Law in opposition (ECF No. 312), and Buffalo’s Reply (ECF No. 322), and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Buffalo’s Motion is **GRANTED** such that summary judgment is entered in favor of Buffalo on all claims.

The Clerk of Court is directed to mark this action as **CLOSED as to Defendant, Air & Liquid Systems Corporation, as successor by merger to Buffalo Pumps, Inc. only.**

It is **FURTHER ORDERED** that Plaintiff’s “Motion for Leave to Supplement Record” (ECF No. 366) is **GRANTED**.¹

¹ Plaintiff seeks to supplement the record with recent decisions by the Honorable Eduardo C. Robreno in DeVries v. General Electric Company, et al., 5:13-cv-00474-ER. None of Judge Robreno’s decisions provide additional facts or information regarding Richard Nybeck’s alleged asbestos exposure to Buffalo products between 1967 and 1969. Therefore, consideration of the DeVries decisions do not alter the outcome of the present Motion.

BY THE COURT:

/s/ *Mitchell S. Goldberg*

MITCHELL S. GOLDBERG, J.